

# **EXHIBIT “2”**

1 R. MILLS

2 reasonable accommodation request is?

3 A. I have a broad sense of what it  
4 is.

5 Q. So tell me what's your  
6 understanding of that.

7 A. When somebody may have an  
8 ailment, and they want some adjustments to  
9 be made based on that.

10 Q. Okay. What is the DOE policy  
11 regarding a reasonable accommodation?

12 A. The person files that through I  
13 guess the medical unit, or some other unit,  
14 and they review it, and make the decisions.

15 Q. Okay. To your knowledge, did  
16 Ms. Wald ever made a reasonable  
17 accommodation request?

18 A. I think she did.

19 Q. When was that?

20 A. I don't know, because it wasn't  
21 with me.

22 (Whereupon, accommodation  
23 request form was marked as  
24 Plaintiff's Exhibit 2 for  
25 identification as of this date by the

1 R. MILLS

2 Reporter.)

3 Q. Okay. So I'm showing you now  
4 what has been marked as Plaintiff's Exhibit  
5 2 for identification. Take a moment to  
6 review it. Do you recognize this document?

7 A. No.

8 Q. What is this document?

9 A. This is a accommodation request  
10 form.

11 Q. Made by who?

12 A. Karen Wald.

13 Q. Okay. Have you ever seen this  
14 document before?

15 A. No.

16 Q. Is this the first time you see  
17 this document?

18 A. Yes.

19 Q. What is your role in regard to  
20 the reasonable accommodations? Do you have  
21 any role whatsoever?

22 A. I guess a consultary role. I  
23 really don't make the final decision.  
24 There's a special office that does that for  
25 the DOE.

1 R. MILLS

2 complaint?

3 A. Yes.

4 Q. So before you saw the  
5 complaint, you knew that Ms. Wald made a  
6 reasonable accommodation request?

7 A. Yes. I knew she made a  
8 request.

9 Q. But you never knew why,  
10 correct?

11 A. I don't know the details. I  
12 just know that she wanted something closer  
13 to home.

14 Q. But you never read the  
15 accommodation request form?

16 A. No. That was never shared with  
17 me.

18 Q. Did you request it?

19 A. No.

20 Q. So you discussed about it, but  
21 you never requested the document. Is that  
22 correct?

23 A. That's not my place to review  
24 the request. As I shared with you, my  
25 conversation was more about what scheduling

1 R. MILLS

2 the date of this?

3 A. On this document it says  
4 8/26/2015.

5 Q. Thank you. For the two boxes  
6 that you read, does anywhere does it say  
7 that Ms. Wald is requesting less hours?

8 A. The second box says reduce  
9 travel time with position or job hours for  
10 conducive to adequate person stress.

11 Q. Does it say that she's  
12 requesting less hours?

13 A. Not directly.

14 Q. So the answer is no?

15 A. All right.

16 Q. You tell me.

17 A. I guess it's no.

18 (Whereupon, schedule was marked  
19 as Plaintiff's Exhibit 3 for  
20 identification as of this date by the  
21 Reporter.)

22 Q. Okay. I'm showing you now a  
23 document that has been marked as  
24 Plaintiff's Exhibit 3. Please review it,  
25 and let me know when you've read it. Tell

1 R. MILLS

2 Q. Well you said Mr. Brewton did,  
3 correct?

4 MR. REITER: Objection.

5 Q. You can answer.

6 A. You said Mr. Brewton contacted  
7 me about a request. If you're saying Mr.  
8 Brewton was acting on behalf of Ms. Wald,  
9 yes.

10 Q. So the answer is yes?

11 A. If Mr. Brewton was acting on  
12 her behalf.

13 Q. Well Mr. Brewton approached to  
14 you regarding Karen Wald, correct?

15 A. Yes.

16 Q. Do you know who is Patty  
17 Grispino?

18 A. Yes.

19 Q. Who is she?

20 A. She's a district UFT rep.

21 Q. Do you know who is Tom Bennett?

22 A. No.

23 Q. You never heard of him before?

24 A. My attorney said that name to  
25 me.

1 R. MILLS

2 MR. REITER: We don't talk  
3 about communications between us, but  
4 you can answer the question.

5 A. I don't know him.

6 Q. I'm only asking you. I'm not  
7 asking whoever told you. If you know who  
8 Tom Bennett is.

9 A. No.

10 Q. So you have never heard of Tom  
11 Bennett?

12 A. No.

13 Q. Okay. Did Patty Grispino ever  
14 speak to you regarding Ms. Wald's  
15 reasonable accommodation request?

16 A. No.

17 Q. She never had a conversation  
18 regarding Ms. Wald?

19 A. None that I can recall about a  
20 request.

21 Q. So if you had a conversation  
22 with Patty Grispino about Ms. Wald, what  
23 was it about?

24 MR. REITER: Objection.

25 A. I don't know what kind of

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2 from HR Connect, regarding her request for  
3 a medical accommodation.

4 Q. Okay. Do you have any  
5 involvement with this document?

6 A. No.

7 Q. Any involvement with that  
8 decision?

9 A. No.

10 Q. So draw your attention again to  
11 Exhibit 1, which is the complaint. Please  
12 look at paragraph 15, which is located on  
13 page four. Now, let me ask you. Did you  
14 know that during Ms. Wald's job assignment,  
15 she caught pneumonia three times?

16 A. No.

17 Q. How come you didn't know that?

18 A. I don't know those things.

19 That's the principal who would be aware of  
20 teachers. And as a superintendent, I don't  
21 supervise the teachers, so I don't know who  
22 is absent, the reason for the absence.

23 Q. Okay. Did you ever inquire  
24 about Ms. Wald's health after she made the  
25 reasonable accommodation request?

1 R. MILLS

2 A. No.

3 Q. Do you know who is Irene Rosa?

4 A. Yes. She was the chapter chair  
5 after Ms. Wald.

6 Q. What other position did she  
7 hold for the Department of Education?

8 A. She was a teacher, and then she  
9 became the chapter chair.

10 Q. Was she provided with her  
11 request to schedule change?

12 MR. REITER: Objection.

13 A. There was no request for a  
14 schedule change from Ms. Rosa. Ms. Rosa  
15 reassigned her position as the UFT chapter  
16 chair. As a UFT chapter chair, you have  
17 six hours of non-teaching responsibility.  
18 So, if you resign your position as the UFT  
19 chapter chair, then you have to be given  
20 six more hours of teaching responsibility.

21 Q. Who gives those hours to her?

22 A. That's a determination made  
23 with the principal based on what's  
24 available within the school, or need within  
25 the school.